

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CIPRIANO CARDENAS-URIARTE,

Petitioner,

v.

No. CV 13-568 JAP/GBW
CR 10-1563 JAP

UNITED STATES OF AMERICA,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION AND DISMISSING CASE**

This matter comes before the Court on Petitioner's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody filed on June 17, 2013. *Doc. 1*. Petitioner argued that his counsel was ineffective for failing to investigate Petitioner's mental background, for failing to properly advise Petitioner in reference to entering a guilty plea, and for failing to object at Petitioner's sentencing. *Id.*

The Magistrate Judge filed his Proposed Findings and Recommended Disposition (PFRD) on November 18, 2013. *Doc. 17*. He recommended dismissing all of Petitioner's claims as meritless. *Id.* at 13. Upon motion by the Petitioner, the Magistrate Judge granted him until January 13, 2014 to file his objections. *Doc. 24*.

Petitioner has filed no objections to the PFRD, and, upon review of the record, I concur with the Magistrate Judge's findings and recommendations.

Wherefore, IT IS HEREBY ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition, *doc. 17*, is ADOPTED. The Petition is DISMISSED with prejudice.

A handwritten signature in black ink, reading "James A. Parker". The signature is written in a cursive style with a large, looped "P" at the end.

UNITED STATES DISTRICT JUDGE